



WISCONSIN DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION SYSTEM DEVELOPMENT – REAL ESTATE
NORTHWEST REGION, EAU CLAIRE OFFICE

SEALED BID - SALE OF SURPLUS LAND

BIDDERS BULLETIN
(Contains Official Special Bid Form)

Project ID: 7200-04-21; Parcel No. 27

Subject Property Location:

Located along the western side of STH 35 and south of Valley View Drive in the Town of Troy, St. Croix County. The parcel is further described as part of the SE1/4 of the SW1/4 and the SW1/4 of the SE1/4 of Section 4, Township 28 North, Range 19 West, Town of Troy, St. Croix County, WI.

BIDS MUST BE RECEIVED BEFORE:

10:00 a.m. on November 7, 2018

**AT:
WISCONSIN DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION SYSTEM DEVELOPMENT – REAL ESTATE
NORTHWEST REGION, EAU CLAIRE OFFICE
718 W. CLAIREMONT AVENUE
EAU CLAIRE, WI 54701
ATTN: ASHLEY SEIBEL**

For more information contact:

Wisconsin Department of Transportation
Northwest Region, Real Estate Section
718 W. Clairemont Avenue, Eau Claire, WI 54701
Ashley Seibel
Phone: 715-830-0544, ext. 205
Email: Ashley.Seibel@dot.wi.gov

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GENERAL INFORMATION APPLYING TO ALL SURPLUS LAND SALES

The Wisconsin Department of Transportation (also referred to as the "Department") urges you to visit and inspect the surplus parcel you are interested in before you bid. All lands will be conveyed on an "as is" basis. Ignorance of any condition of the site will not allow you to withdraw or adjust a bid after it is opened.

We urge you to secure firsthand information about the local real estate tax rate, utility services, zoning ordinances, access and building codes. With that information, you will be in a position to accurately determine the utility of the land and to prepare a bid reflective of that utility.

GENERAL INFORMATION ABOUT PROPERTY OFFERED FOR SALE

1. Subject Property Location: Western side of STH 35 and south of Valley View Drive. SE1/4 – SW1/4 and SW1/4 – SE1/4 of Section 4, Township 28 North, Range 19 West, Town of Troy, St. Croix County, WI.
2. Project ID: 7200-04-21; Parcel No. 27.
3. Site Area: ± 6.44 acres of vacant land. No direct access from STH 35 will be allowed. It is the responsibility of the buyer to secure access via the cul de sac on Valley View Drive with the local municipality.
4. Present Zoning: Currently zoned Agricultural Residential (AG-RES). It is also designated as Land Eligible for Commercial Rezoning (LECR), an overlay zoning district. According to the Town's zoning ordinance, "Land that is rezoned for any type of commercial use after the effective date of this Chapter must be located in a LECR Overlay District as shown on the Official Zoning Map, save only for the limited rezoning available to add replacement land to the Traditional Commercial District following eminent domain proceedings."
5. Quit Claim Deed with legal description and restrictions (see pages 6 & 7).
6. Taxes or Assessments Levied Against Site: None known. Any taxes or assessments will be the responsibility of buyer.

GENERAL TERMS OF SALE

1. **Deadline for Bid Opening:**
It shall be your duty as a bidder to see that your bid is delivered within the time and at the place prescribed in this bulletin. No bid received after the time fixed in this invitation for the opening of bids will be considered and those bids will be returned unopened. Bidders are welcome to attend the bid opening but attendance is not mandatory.
2. **Award of Bid:**
After payment of the full bid price, the Department will award title of the subject property to the bidder whose bid conforms to the terms and conditions stated in this bulletin and who has the highest dollar value bid acceptable to the Department. The Department reserves the right to reject all bids if no bid is received that would be in the best interest of the Department to accept. In the event two or more acceptable high bids are received that are equal in all respects, the selection will be made by a lottery limited to the tied bidders.
3. **Modification or Withdrawal of Bids:**
The Department will not entertain claims from bidders for withdrawal or modification of bids after the bid opening because of ignorance of the condition of the subject property offered for sale or misinterpretation of the terms and conditions of the sale.
4. **Notice of Acceptance or Rejection of Bids:**
You will be notified by mail of acceptance or rejection of your bid within ten (10) business days after the day of bid opening.

5. **Contract for Sale:**
After the high bid was been accepted by the Department and the sale approved by the Governor's Office, a sale agreement between the successful bidder and the state shall exist. Such agreement shall constitute the whole contract to be succeeded only by the formal conveyance instrument unless modified in writing and signed by both parties. Neither oral statements nor representations made by or for, or on behalf of either party shall become part of such contract; nor shall the contract or any interest therein be transferred or assigned by the successful bidder without written consent of the Department. Any assignment transaction without such consent shall negate the sale. See item 7 below.
6. **Grounds for Rejection of Bids:**
The Department expressly reserves the right to reject any and all bids when deemed as irregular or when not in the best interest of the Department to accept. Bids containing any qualifying or contingent clauses not mentioned in this bulletin will be declared irregular and rejected. Minor irregularities in the bid form such as misspelled words, may be waived and the bid accepted.
7. **Forfeiture of Bid Deposit:**
In the event of a default by the winning bidder in the performance of the contract of sale created by the Department accepting that bid, the bid deposit shall be forfeited. The Department shall take such actions, as it deems necessary and appropriate, to enforce the contract. Those actions may include legal redress, awarding title to the second acceptable high bidder or re-advertising the site for sale.
8. **Transfer of Title:**
Transfer of title to the subject property to the successful bidder will be via a **Quit Claim Deed**. The deed will be executed by the Department on behalf of the State of Wisconsin and will recite approval of the Governor's Office as required by the Section 84.09(5), Wisconsin Statutes. A Quit Claim Deed, which includes the legal description and deed restrictions, is included on pages 6 and 7.
9. **Final Payment to Seller and Recording of Deed:**
In the event the Department accepts the highest bid, the winning bidder shall, on a mutually agreeable date not later than 60 days after acceptance of the bid or Governor's approval of the sale, whichever is later, tender to the Department the balance of the purchase price. Upon receipt of that payment, the Wisconsin Department of Transportation will record the Quit Claim Deed at the St. Croix County Register of Deeds Office. The buyer is responsible for the mandated recording fees, apart from the bid. Said fees are \$30.00. No real estate transfer tax will be required to be paid, as property sold by the Department of Transportation is exempt.
10. **Delivery of Deed:**
Once the deed has been recorded, the Department will deliver a copy of the deed to the buyer.
11. **Title Evidence:**
Buyer will assume the expense of procuring any abstracts or title insurance as may be required.
12. **Certified Surveys:**
All costs of preparation of certified surveys that may be required for further development of the site are the buyer's responsibility.
13. **Special Assessments:**
The buyer will assume the payment of any unpaid deferred charges or special assessments for public improvements levied against the subject property at the time of sale. Amounts of these outstanding charges will be disclosed in the bulletin if known. None are known to exist.
14. **Real Estate Taxes:**
The buyer will be liable for all general real estate taxes levied against the subject property after title is transferred. Property is currently tax exempt.

15. Inspections:
Any qualified prospective bidder may request a physical inspection of the property by contacting Ashley Seibel at 715-830-0544, ext. 205. The property is being sold 'as is' with no warranties as to condition or use. It is advised that all bidders research thoroughly, exercise due diligence, and seek professional advice if necessary regarding the property for sale.

INSTRUCTIONS TO BIDDERS

1. Special Bid Form:
You must submit your bid on one of the two copies of the Special Bid Form provided with this bulletin (Pages 11 and 12) and furnish all information requested; the second copy is provided for your records. If your bid is submitted on forms other than those supplied in this bulletin, or if the bid fails to furnish all information required, the bid might be rejected at the sole option of the Department. Your bid should be filled out legibly with all erasures, strikeovers and corrections initialed by the person signing it. The bid must be signed in ink by you or your agent.
2. Bid Envelope:
Your bid form should be placed in **an envelope clearly marked: "Sealed Bid, 11/7/2018. Project ID: 7200-04-21, Parcel No. 27"** with your name and address placed in the upper left hand corner of this envelope. No responsibility will be implied to any employee of the Department for the premature opening of, or failure to open a bid, which is not properly marked.
3. Bids Executed by Agents of Bidder:
A bid executed by an attorney or agent on behalf of the bidder, shall be accompanied by an authenticated copy of his Power of Attorney or other written evidence of his authority to act on behalf of the bidder.
4. Deposit Must Accompany Bid:
The bid submitted must be accompanied by a bid deposit in the form of a certified check, cashier's check or money order payable to the "Wisconsin Department of Transportation" in the amount of ten percent (10%) of the amount bid for the subject property. Failure to provide such bid deposit shall require rejection of the bid. Upon acceptance of a bid, the appropriate bid deposit of the high bidder shall be applied toward payment of the bidder's obligation to the state. Bid deposits of unsuccessful bidders will be returned to bidders at the close of the bid opening or by certified mail without interest, as promptly as possible after the bid opening. **No personal checks or cash will be accepted. Bids containing those items will be summarily rejected.**
5. Minimum Bid Required:
There is no minimum bid for the parcel being offered for sale in this bulletin. Title to the subject property will be awarded to the party making the highest bid in acceptable form once approved by the Governor's Office.
6. Bid must be Delivered by Deadline:
Bids **must** be in the hands of WisDOT; Division of Transportation Systems Development – Real Estate, Northwest Region, Eau Claire Office, Eau Claire, WI 54701, Attn: Ashley Seibel, **before 10:00 a.m. on November 11, 2018.** There are no exceptions to this deadline. Bids, whether hand delivered or mailed, that are received after the above stated deadline will not be opened and will be returned to the bidder.

QUIT CLAIM DEED – STATE GRANTOR

Wisconsin Department of Transportation
Exempt from fee s. 77.25(2) Wis. Stats.
DT1563 06/2012

THIS DEED, made by the **State of Wisconsin, Department of Transportation**, GRANTOR, quit claims to GRANTEE(s), for the sum of (\$) pursuant to Section 84.09(5) Wisconsin Statutes, the property described below.

Legal Description / Restrictions:

It is expressly intended and agreed by and between the parties hereto that the following conditions apply:

No advertising signs or billboards of any type shall be located, erected or maintained on the above-described lands, except for on-premise signs.

All existing public and private utilities and public recreational trails located upon, over or under the above-described lands, whether by permit or easement, shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their existing transmission and/or distribution facilities located wholly or partially within the above-described lands as of the date of this instrument.

These covenants, burdens and restrictions shall run with the land and shall forever bind the grantee, its successors and assigns; and, upon breach or failure of all or any part thereof, the State of Wisconsin, Department of Transportation may bring an action in the courts of this state to enforce said restriction, and shall recover in any such action its costs and expenses of enforcing the restriction, including actual attorneys fees, from the owner of the property, his/her successors, assigns, trustees, personal representatives or administrators.

| |
|---|
| This space is reserved for recording data |
| Return to |
| Parcel Identification Number/Tax Key Number |

Date _____
Real Estate Manager Signature _____
Print Name _____

Date _____
State of Wisconsin)
County) ss.
On the above date, this instrument was acknowledged before me by the named person(s).

Signature, Notary Public, State of Wisconsin

Print Name, Notary Public, State of Wisconsin)

Date Commission Expires

Project ID:

This instrument was drafted by:
Wisconsin Department of Transportation

Parcel No.:

LEGAL DESCRIPTION & RESTRICTIONS

Quit Claim in and to the following tract of land being part of the Southeast Quarter of the Southwest Quarter and in the Southwest Quarter of the Southeast Quarter of Section 4, Township 28 North, Range 19 West, Town of Troy, St. Croix County, Wisconsin and further described as follows:

Beginning at the South Quarter Corner of Section 4;

Thence N89°03'44"W along the South line of the Southwest Quarter of Section 4, 391.51 feet;

Thence N10°33'37"W 484.51 feet;

Thence N05°58'42"W 297.79 feet;

Thence N86°16'09"E 195.14 feet to the Westerly Right of Way line of State Trunk Highway 35 being a non-tangent curve concave to the Northeast with a radius of 5869.58 feet;

Thence Southeasterly along the curve whose chord of 673.92 feet bears S28°47'23"E, an arc distance of 674.29 feet;

Thence N88°45'47"W along the South line of the Southeast Quarter of Section 4, 142.03 feet to the Point of Beginning, as shown on Project 7200-04-21, Sheet 4.13, revised date 10-1-04.

Said parcel contains 6.44 acres, more or less.

It is expressly intended and agreed by and between the parties hereto that the following conditions apply:

It is the intent of this document to convey only lands described above. No right of access to STH 35 by easement of other means is conveyed or shall accrue to the property by virtue of this document.

No advertising signs or billboards of any type shall be located, erected or maintained on the above-described lands, except for on-premise signs.

All existing public and private utilities and public recreational trails located upon, over, or under the above-described lands, whether by permit or easement, shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their existing transmission and/or distribution facilities located wholly or partially within the above-described lands as of the date of this instrument.

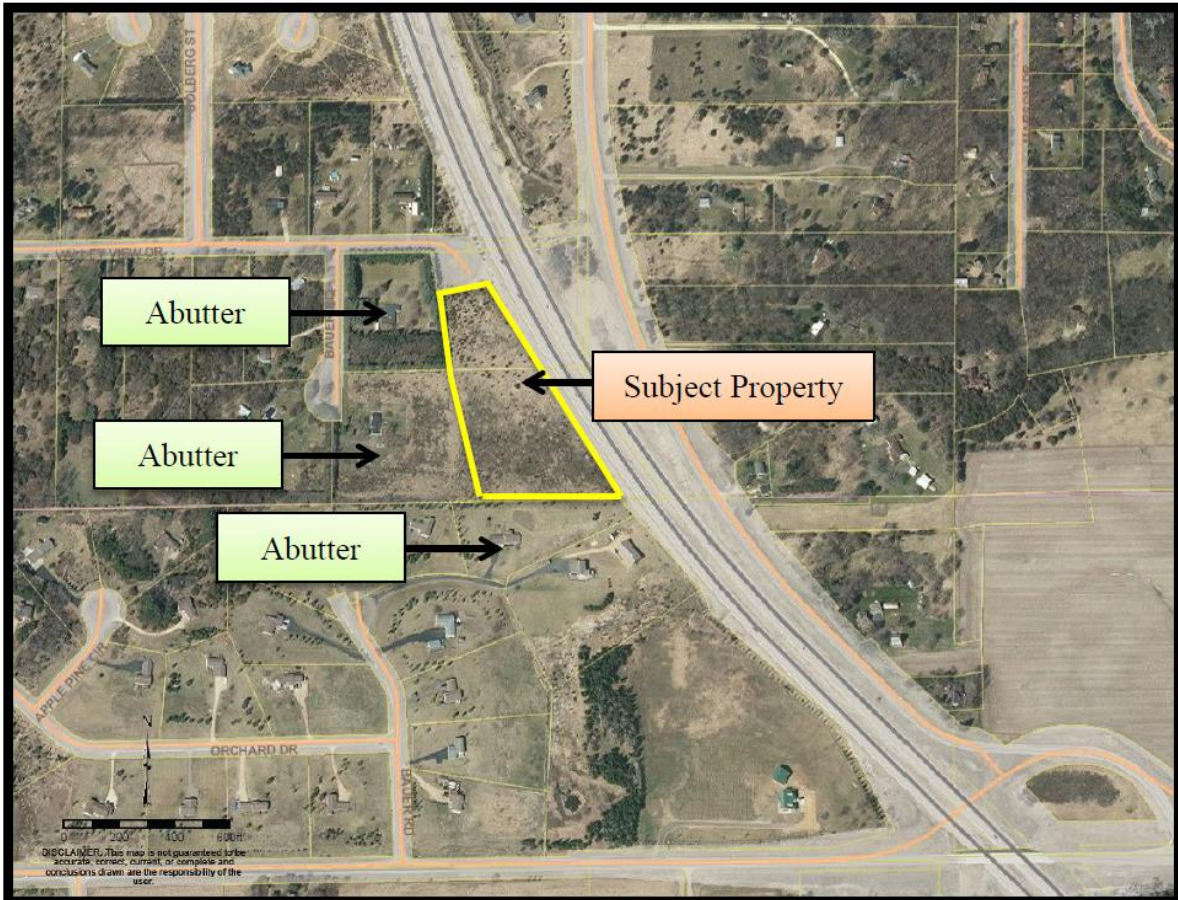
The above-described lands shall be subject to all applicable zoning laws and/or ordinances.

In the event facilities are constructed, maintained, or otherwise operated on the property described in this deed for the purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the GRANTEE will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as many be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

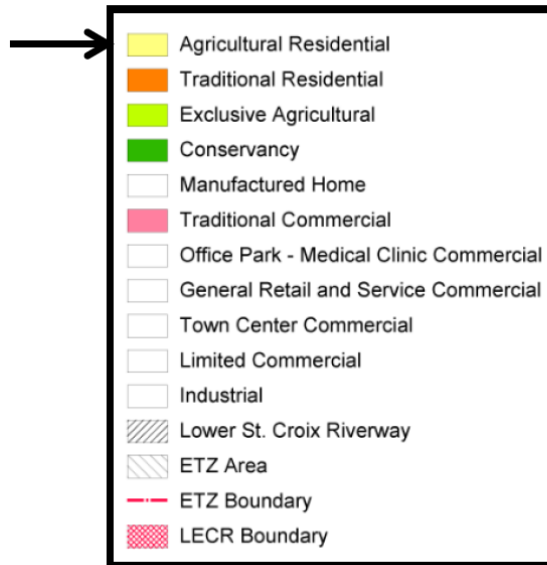
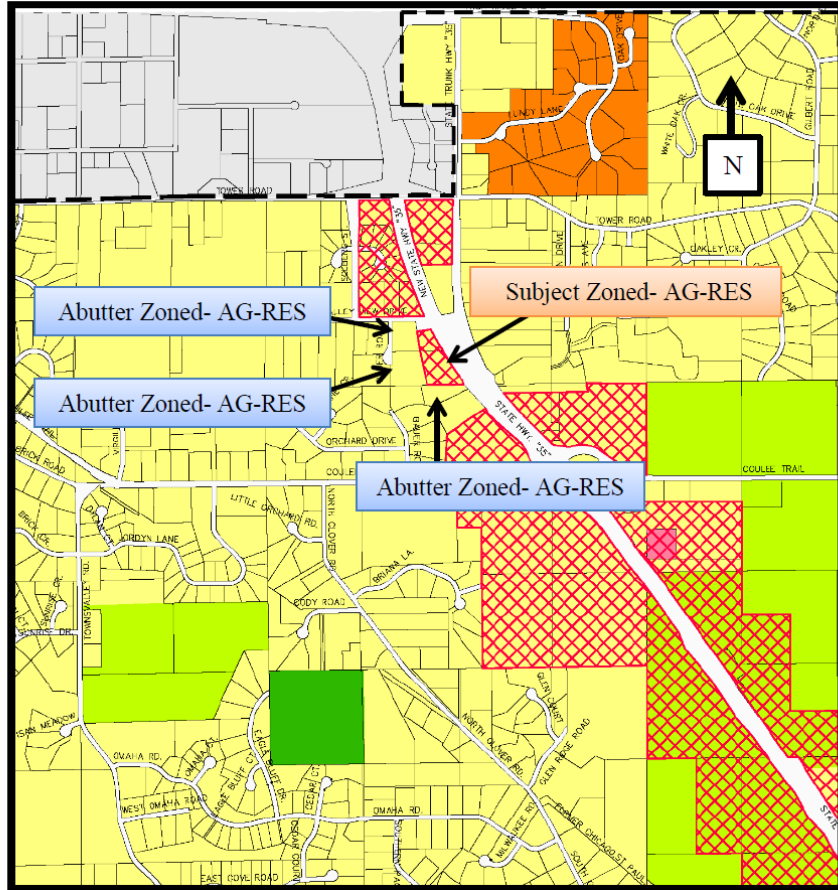
These covenants, burdens and restrictions shall run with the land and shall forever bind the grantee, its successors and assigns; and, upon breach or failure of all or any part thereof, the State of Wisconsin, Department of Transportation may bring an action in the courts of this state to enforce said restriction, and shall recover in any such action its costs and expenses of enforcing the restriction, including actual attorneys' fees, from the owner of the property, his/her successors, assigns, trustees, personal representatives or administrators.

In the event of a breach of any of the above non-discrimination covenants, the Wisconsin Department of Transportation will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to, vest in, and become the absolute property of the Wisconsin Department of Transportation and its assigns.

PROPERTY LOCATION MAP



TOWN OF TROY ZONING MAP



SUBJECT PHOTOS



Facing South from Valley View Road cul de sac



Facing East from STH 35



SPECIAL BID FORM

WISCONSIN DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION SYSTEM DEVELOPMENT – REAL ESTATE
NORTHWEST REGION, EAU CLAIRE OFFICE

OFFICIAL BID FOR PURCHASE OF STATE-OWNED SURPLUS LAND

Bid Opening: 10:00 a.m. on November 7, 2018

At the

Wisconsin Department of Transportation, Northwest Region, Eau Claire Office, Second Floor
718 W. Clairemont Avenue, Eau Claire, WI 54701

Located along the western side of STH 35 and south of Valley View Drive. SE1/4 – SW1/4 &
SW1/4 – SE1/4 of Section 4, Township 28 North, Range 19 West, Town of Troy, St. Croix County, WI
± 6.44 Acres
Project ID: 7200-04-21; Parcel No. 27

I hereby submit a bid of _____ **Dollars (\$_____)** for the
above-described tract of land subject to the terms and conditions previously described in the bulletin.

Payment Schedule:

This bid is accompanied by a 10% bid deposit in the form of a certified check, cashier's check or money order
in the amount of _____ **Dollars (\$_____)**. Make check
payable to: **"Wisconsin Department of Transportation."** In the event of any default by successful bidder in
the performance of the contract sale created by acceptance of the bid and the approval of the sale by the
Governor of the State of Wisconsin, the deposit shall be forfeited and the Department shall take such action
as it deems necessary and appropriate to enforce the contract.

In the event this bid is accepted, the Quit Claim Deed should name the following as grantee(s). Note: Please
print clearly and spell name(s) exactly as you wish it appear (include middle initial, etc. if appropriate):

Bidder's signature

Date

Bidder's printed name

Phone

Street address

City, State Zip

**All blanks on this bid form must be filled out completely and legibly, with any corrections initialed by
person signing as bidder. Bidder's signature must be you or your agent, appear in ink and include a
printed or typed name, as well as phone and mailing address. Keep one copy for your records.
Place in envelope clearly marked: "Sealed Bid, 11/7/2018, Project ID: 7200-04-21, Parcel No. 27"**



SPECIAL BID FORM

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DIVISION OF TRANSPORTATION SYSTEM DEVELOPMENT – REAL ESTATE
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Bidder's signature

Date

Bidder's printed name

Phone

Street address

City, State Zip

**All blanks on this bid form must be filled out completely and legibly, with any corrections initialed by
person signing as bidder. Bidder's signature must be you or your agent, appear in ink and include a
printed or typed name, as well as phone and mailing address. Keep one copy for your records.
Place in envelope clearly marked: "Sealed Bid, 11/7/2018, Project ID: 7200-04-21, Parcel No. 27"**